

Application of Sofcall Ltd. for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, for Global Resale Authority

Attachment 1

(9) Streamlined Processing

This application qualifies for streamlined processing under Section 63.12 of the Commission's rules. First, the country in which the Applicant is a foreign carrier, the United Kingdom, is a Member of the World Trade Organization, and the Applicant qualifies for a presumption of non-dominance under Section 63.10(a)(4) because it will provide international switched service solely through the resale of unaffiliated U.S. facilities-based carriers' international switched services.¹ Second, the Applicant is not affiliated with any dominant U.S. carrier whose international switched or private line services the applicant seeks authority to resell.² And third, the Commission has not informed the Applicant that it is not eligible for streamlined processing.³ The Applicant therefore requests streamlined processing.

(11) Foreign Carrier Status and Affiliation

The Applicant certifies that it will operate as a foreign carrier in the United Kingdom as soon as it begins providing service, but the Applicant is not affiliated with a foreign carrier.⁴ The Applicant certifies that the United Kingdom is one of the countries to which it seeks to provide

¹ See 47 C.F.R. § 63.12(c)(1)(iv).

² See 47 C.F.R. § 63.12(c)(2).

³ See 47 C.F.R. § 63.12(c)(4).

⁴ See 47 C.F.R. § 63.18(i).

international telecommunications communications services.⁵ The Applicant certifies that the United Kingdom is a Member of the World Trade Organization.⁶

Pursuant to Section 63.18(l), the Applicant certifies that it satisfies Section 63.10(a)(3) of the Commission's rules. The Applicant is a new market entrant. It has no market share in the United Kingdom in the international transport and local access markets, nowhere near the 50-percent market share identified by the Commission as the basis for dominant regulation on a particular route.⁷ The Applicant's lack of market power is further reflected in its absence from the Commission's list of telecommunications carriers presumed to possess market power in foreign telecommunications markets.⁸ The Applicant therefore need not comply with the reporting requirements of Section 43.61(c) of the Commission's rules.⁹

The Applicant qualifies for non-dominant classification on the United Kingdom route, pursuant to Section 63.10 of the Commission's rules.¹⁰ The Applicant seeks to provide international switched service solely through the resale of unaffiliated U.S. facilities-based carriers' international switched services, and so is presumptively classified as non-dominant for the provision of the authorized service.¹¹

⁵ See 47 C.F.R. § 63.18(j)(1).

⁶ See 47 C.F.R. § 63.18(k)(1).

⁷ See 47 C.F.R. § 63.10(a)(3).

⁸ See *The International Bureau Revises and Reissues the Commission's List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets*, Public Notice (Jan. 26, 2007), available at http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-07-233A1.pdf.

⁹ See 47 C.F.R. § 43.61(c).

¹⁰ See 47 C.F.R. § 63.18(m).

¹¹ See 47 C.F.R. § 63.10(a)(4).

(12) Service to Destination Markets

The Applicant certifies that it will seek to provide international telecommunications services to the United Kingdom, the country where the Applicant will operate as a foreign carrier as soon as it begins providing service.¹² The Applicant certifies that it does not control any foreign carriers in that country,¹³ that no entity owns more than 25 percent of the applicant or controls the applicant,¹⁴ and that no foreign carriers in any foreign country (or parties that control foreign carriers in any foreign country) own, in the aggregate, more than 25 percent of the Applicant.¹⁵

¹² See 47 C.F.R. § 63.18(j)(1).

¹³ See 47 C.F.R. § 63.18(j)(2).

¹⁴ See 47 C.F.R. § 63.18(j)(3).

¹⁵ See 47 C.F.R. § 63.18(j)(4).